



March 23, 2001

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## ENGROSSED HOUSE BILL No. 1492

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DIGEST OF HB 1492 (Updated March 21, 2001 4:35 PM - DI 84)

**Citations Affected:** IC 13-27.5.

**Synopsis:** Clean manufacturing technology board. Eliminates the limitation against board members serving more than two consecutive terms, and provides that meetings of the board shall be held in accordance with IC 5-14-1.5.

**Effective:** July 1, 2001.

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### Wolkins, Weinzapfel

(SENATE SPONSORS — GARD, SIMPSON)

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January 11, 2001, read first time and referred to Committee on Environmental Affairs.  
February 8, 2001, amended, reported — Do Pass.  
February 15, 2001, read second time, amended, ordered engrossed.  
February 16, 2001, engrossed.  
February 19, 2001, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 27, 2001, read first time and referred to Committee on Rules and Legislative Procedure.  
March 22, 2001, amended, reported favorably — Do Pass.

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EH 1492—LS 6930/DI 52+



March 23, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## ENGROSSED HOUSE BILL No. 1492

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 13-27.5-1-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) The term of  
3 office of an appointed member of the board:

4 (1) is four (4) years; and

5 (2) continues until the member's successor is appointed and  
6 qualified.

7 ~~(b) An appointed member of the board may not serve more than two~~  
8 ~~(2) consecutive terms.~~

9 ~~(c)~~ (b) If a vacancy occurs in the appointed membership of the  
10 board, the governor shall appoint a member to fill the vacancy for the  
11 remainder of the unexpired term and to serve at the pleasure of the  
12 governor.

13 SECTION 2. IC 13-27.5-1-7 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The board shall  
15 meet at least quarterly.

16 (b) The meetings of the board shall be **open to the public under held**  
17 **in accordance with IC 5-14-1.5.**

18 ~~(c) The chairperson of the board shall cause a notice of a meeting to~~

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- 1 be published as follows:
- 2 (1) One (1) time in two (2) daily newspapers in the county in
- 3 which the public meeting will take place, subject to the
- 4 requirements in IC 5-3-1-4.
- 5 (2) One (1) time in the Indiana Register.
- 6 (d) The chairperson of the board shall include in the notice required
- 7 under subsection (c) the following:
- 8 (1) A statement of the date, time, and place at which the public
- 9 meeting will be convened.
- 10 (2) A general description of the subject matter to be discussed at
- 11 the meeting.
- 12 (e) The chairperson of the board must comply with the publication
- 13 requirements in subsection (c) at least twenty-one (21) days before the
- 14 public meeting is convened.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1492, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "twenty-four (24)" and insert "**eighteen (18)**".

Page 1, line 17, delete "." and insert "**who serves as a nonvoting member.**".

Page 1, line 18, delete "Fifteen (15)" and insert "**Nine (9)**".

Page 2, line 3, delete "Four (4)" and insert "**Two (2)**".

Page 2, line 4, delete "two (2)" and insert "**one (1)**".

Page 2, line 6, delete "Four (4)" and insert "**Two (2)**".

Page 2, line 7, delete "two (2)" and insert "**one (1)**".

Page 2, line 12, delete "Two (2) individuals" and insert "**One (1) individual**".

Page 2, line 12, delete "," and insert ".".

Page 2, delete lines 13 through 14.

Page 2, line 15, delete "Three (3)" and insert "**Two (2)**".

Page 2, line 18, delete "Two (2) representatives" and insert "**One (1) representative**".

Page 2, line 18, delete ", not more than" and insert ".".

Page 2, delete lines 19 through 20.

Page 2, line 21, after "(C)," insert "**(D),**".

Page 3, line 37, delete "2003." and insert "**2005.**".

Page 3, delete lines 38 through 39.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1492 as introduced.)

WEINZAPFEL, Chair

Committee Vote: yeas 11, nays 0.



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1492 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-27.5-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) The board consists of ~~twelve (12)~~ **thirteen (13)** members.

(b) The commissioner and the president of the Indiana economic development council established under IC 4-3-14 shall serve as ex officio nonvoting members of the board. The commissioner or the president may in writing designate a technical representative to serve as a nonvoting member of the board when the commissioner or the president is absent from a meeting of the board.

(c) The governor shall appoint ~~ten (10)~~ **eleven (11)** members of the board as follows:

- (1) Two (2) representatives of public or private universities in Indiana, one (1) of whom must have expertise in occupational health and the workplace environment.
- (2) Three (3) representatives of manufacturers, including one (1) representative of small manufacturers.
- (3) One (1) representative of a statewide environmental organization.
- (4) One (1) representative of organized labor.
- (5) One (1) representative of the public.
- (6) One (1) representative of county government.
- (7) One (1) representative of municipal government.

**(8) One (1) representative who must have expertise in occupational health and the workplace environment.**

(d) To be appointed as a member of the board under subsection (c), an individual must demonstrate a knowledge of policy or of technical matters concerning multimedia clean manufacturing.

(e) Neither individual appointed to the board under subsection (c)(1) may represent a university that is selected to establish the Indiana clean manufacturing technology and safe materials institute under IC 13-27.5-3.

SECTION 2. IC 13-27.5-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) The term of office of an appointed member of the board:

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(1) is four (4) years; and

(2) continues until the member's successor is appointed and qualified.

~~(b) An appointed member of the board may not serve more than two (2) consecutive terms.~~

~~(c)~~ (b) If a vacancy occurs in the appointed membership of the board, the governor shall appoint a member to fill the vacancy for the remainder of the unexpired term and to serve at the pleasure of the governor.

SECTION 3. IC 13-27.5-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The board shall meet at least quarterly.

(b) The meetings of the board shall be **open to the public under held in accordance with IC 5-14-1.5.**

~~(c) The chairperson of the board shall cause a notice of a meeting to be published as follows:~~

~~(1) One (1) time in two (2) daily newspapers in the county in which the public meeting will take place; subject to the requirements in IC 5-3-1-4.~~

~~(2) One (1) time in the Indiana Register.~~

~~(d) The chairperson of the board shall include in the notice required under subsection (c) the following:~~

~~(1) A statement of the date, time, and place at which the public meeting will be convened.~~

~~(2) A general description of the subject matter to be discussed at the meeting.~~

~~(e) The chairperson of the board must comply with the publication requirements in subsection (c) at least twenty-one (21) days before the public meeting is convened."~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1492 as printed February 9, 2001.)

WEINZAPFEL

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1492 be amended to read as follows:

Page 2, line 5, after "government," insert "one of whom may be a solid waste management district director".

Page 2, line 5, before "not" insert "and".

(Reference is to House Bill 1492 as printed February 9, 2001.)

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred House Bill No. 1492, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 18.

Page 2, delete lines 1 through 13.

Page 2, line 14, delete "2." and insert "1."

Page 2, line 26, delete "3." and insert "2."

Page 3, delete lines 4 through 42.

Delete pages 4 through 5.

and when so amended that said bill do pass.

(Reference is to HB 1492 as reprinted February 16, 2001.)

GARTON, Chairperson

Committee Vote: Yeas 7, Nays 0.

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